

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHRISTINA MONGELLI,

Plaintiff,

v.

RED CLAY CONSOLIDATED SCHOOL DISTRICT
BOARD OF EDUCATION; IRWIN J. BECNEL, JR.,
CHARLES CAVANAUGH, GARY LINARDUCCI,
LORETTA C. RICE, JAMES D. TAYLOR, MARTIN A.
WILSON, SR., INDIVIDUALLY AND IN THEIR
OFFICIAL CAPACITIES AS MEMBERS OF THE RED
CLAY CONSOLIDATED SCHOOL DISTRICT BOARD OF
EDUCATION; ROBERT J. ANDRZEJEWSKI,
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS
SUPERINTENDENT OF THE RED CLAY
CONSOLIDATED SCHOOL DISTRICT; AND RED CLAY
CONSOLIDATED SCHOOL DISTRICT,

Defendants.

MOTION TO DISMISS AND/OR FOR AN ORDER AWARDING
THE INDIVIDUAL DEFENDANTS QUALIFIED IMMUNITY

Defendants, by and through the undersigned counsel, hereby move to dismiss and/or for an order awarding the individual Defendants qualified immunity from Plaintiff's claims under 42 U.S.C. § 1983 and the First Amendment to the United States Constitution, filed against the individual Defendants.

YOUNG CONAWAY STARGATT & TAYLOR, LLP



Barry M. Willoughby, Esquire (No. 1016)
Michael P. Stafford, Esquire (No. 4461)
The Brandywine Building
1000 West Street, 17th Floor,
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-6666; Facsimile: (302) 576-3345
Email: bwilloughby@ycst.com; mstafford@ycst.com
Attorneys for Defendants

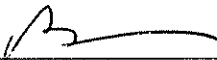
Dated: November 16, 2005

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2005, I electronically filed a true and correct copy of the foregoing Motion to Dismiss, with the Clerk of the Court using CM/ECF, and further caused a copy of same to be served by hand-delivery on the following counsel of record:

Joseph M. Bernstein, Esquire
800 North King Street, Suite 302
Wilmington, DE 19801

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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